

Appl. No. 10/028,140
Amendment and/or Response
Reply to Office action of 10 April 2003

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REMARKS / DISCUSSION OF ISSUES

Claims 1-22 are now pending in the application. Claims 16-22 are newly added. The Examiner is respectfully requested to state whether the drawings are acceptable. The new claims are added to remove the disjunctive term "or" in the original claims. Each claim that had an "or" term has been replaced by two distinct claims. The overall scope of the claims is unchanged, and no new matter is added.

The Office action rejects claims 1-5, 7-11, and 13-15 under 35 U.S.C. 102(e) over Nagai et al. (US 2002/0135553, hereinafter Nagai). Enclosed herein is a Declaration under 37 CFR 1.131, with supporting evidence, certifying that the invention as claimed in these claims was invented by the applicant prior to the filing date of Nagai. The applicant respectfully traverses this rejection and requests the withdrawal of this rejection in view of this Declaration.

The Office action rejects claims 5-6 and 11-12 under 35 U.S.C. 103(a) over Nagai. The applicant respectfully traverses this rejection.

Claims 5-6 and 11-12 are dependent claims that specify a particular formation of the LED array. The Office action acknowledges that Nagai does not disclose a method of forming the LED array, and bases this rejection on the fact that substrates bases are common in the art of electronics. The applicant respectfully notes that the mere existence of an object neither teaches nor suggests its use in a particular application, and respectfully maintains that the Office Action fails to provide a sufficient basis for a rejection under 35 U.S.C. 103(a).

Each of the newly added claims 16-22 recite a light source that scrolls different colored light bars. In the interest of advancing prosecution in this case, the applicant respectfully notes that Nagai neither teaches nor suggests the scrolling of light bars. Nagai specifically discloses a "color field sequential system", wherein the LEDs of a given color are turned on once for each frame time period: "the time period for displaying one frame is divided into three color fields, a red field, a green field, and a blue field". (Nagai, paragraphs 0116-0117.)

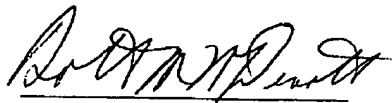
scroll is
broad term

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In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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